

FRIENDS OF THE EARTH, INC., *et al.*,  
Plaintiffs,  
v.  
GASTON COPPER RECYCLING  
CORPORATION,  
Defendant.

GASTON COPPER RECYCLING )  
CORPORATION, )  
 )  
Defendant. )  
 )

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, plaintiffs Citizens Local Environmental Action Network, Inc. (CLEAN) and Friends of the Earth (FOE) hereby move for summary judgment that they have standing to continue this action against Gaston Copper Recycling Corporation (“Gaston”), consistent with the decision issued by U.S. Court of Appeals for the Fourth Circuit on February 7, 2008. Plaintiffs move the court to make the following factual findings in support of this judgment:

- A memorandum of law and proposed order accompany this motion.

Respectfully submitted,

/s/ Kathleen L. Millian

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